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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,366	09/30/1999	YUE HENG XU	ITL.0250US (P7375)	5274
21906 7590 11/14/2008 TROP PRUNER & HU, PC 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER LUU, SY D	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 11/14/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* YUE HENG XU

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Appeal 2008-2549  
Application 09/409,366  
Technology Center 2100

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Mailed: November 14, 2008

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Before DALE M. SHAW, *Chief Appeals Administrator*  
SHAW, *Chief Appeals Administrator*

ORDER

Appellant's Request to Strike Second Examiner's Answer was received by the Board of Patent Appeals and Interferences (hereinafter the "Board") on August 9, 2007. A review of the file indicates that the Examiner's Answers dated April 6, 2007 and June 26, 2007 were supplemented to satisfy the Appeal Center's requests and do not in any way argue new rejections.

Appeal 2008-2549  
Application 09/409,366

Accordingly, it is ORDERED that Appellant's Request is DENIED.

If there are any questions pertaining to this order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DMS/LAE

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